

Notice of Allowability

Application No.

09/965,592

Examiner

Ramy M. Osman

Applicant(s)

SHAH ET AL.

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/20/2006.
2. ☒ The allowed claim(s) is/are 4-8, 10-12, 14-16, 19-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

Status of Claims

1. This communication is responsive to amendment filed on December 20, 2006, where applicant cancelled claims 1-3,9,13,17, amended claims 4,7,8,10,12,14-16,19,20, and added new claims 21-27. Claims 4-8,10-12,14-16,19-27 are pending.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Douglas M Kubehl (Reg No 41915) on March 26, 2007 (see Interview Summary).

The application has been amended as follows:

Claim 27. (Amended) An apparatus for re-directing a client session, comprising:

means for receiving at a load balancer a request from a client terminal;

means for selecting one of a plurality of gateways being managed to process the request;

means for sending a re-direct message to the client terminal, the re-direct message

including information identifying the selected gateway; ~~and~~

means for receiving at the load balancer from the client terminal a subsequent request associated with the re-direct message, the subsequent request including the information identifying the selected gateway; and

means for forwarding the subsequent request to the selected gateway from the load balancer.

Allowable Subject Matter

3. Claims 4-8,10-12,14-16,19-27 are allowed.

4. The following is an examiner's statement of reasons for allowance: Applicants invention of a method of redirecting a client session, is found to be patentable. Prior art references of record, either only teach minor aspects of the invention or only teach the general environment of the invention. For example:

Patent No. US007197547B1, Miller et al teaches load balancer stickiness by routing subsequent packets to a same server; Patent No. US006351775B1, Yu teaches load balancing with piggybacking information to responses; and Patent No. US005983281A, Ogle et al teaches load balancing between gateways by redirecting clients to a selected gateway.

However the prior art of record, neither singly or in combination, do not teach the claim limitations.

The particular novel feature of the invention (as mentioned in the claims) is a load balancer that receives a request from a client, selects a managed gateway, sends a message back to the client identifying the gateway, only then to receive (at the load balancer) another request from the client that includes a specific reference (that was supplied to the client by the load balancer) to the identified gateway, and finally the load balancer forwarding or translating that request to the gateway.

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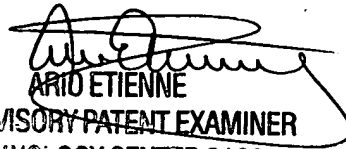
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RMO
March 30, 2007


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